



DEPARTMENT OF
COMMUNITY DEVELOPMENT
LONG RANGE PLANNING

STAFF REPORT

TO: Clark County Board of Commissioners

FROM: Pat Lee, Long Range Planning Manager

DATE: November 19, 2003

SUBJECT: Recommended Comprehensive Plan Update Code Changes

Introduction

Attached for your review and consideration are several code changes in support of the proposed Clark County Comprehensive Growth Management Plan 2003-2023.

Background

The background of each code change is discussed individually below.

1. **Urban Holding Districts**, 40.230.070 This code revision to provide an increased minimum lot size is requested to address concerns about preserving employment capacity (Attachment 1). The policy issues to apply the district to land in the expanded UGA's is to encourage annexation to the Cities prior to urban development unless the city and county agree to earlier urban development. The existing plan has Urban Holding policy language that is similar for all cities that provide, except for Vancouver, that urban development can be prohibited until annexed. The proposed urban holding language worked out between the County and the Cities is included in Exhibit 1A, however, at this writing, the language has not been approved by the Planning Commission.
2. **Mixed Use** 40.230.020 Clark County has had a Mixed Use District ordinance since 1994 when it was adopted as part of the Comprehensive Plan. However, at the time of adoption, while the Comprehensive Plan designation of MU (Mixed Use) was applied to the 20-Year map, there was very little MX (mixed use) zoning applied under the comprehensive plan designation of MU. Instead, other zones such as commercial, residential, etc. were applied under the MU designation. The attached revision of Table 1.4 Urban Plan Designation to Zone Consistency Chart in Chapter 1: Land Use of the Draft Clark County Comprehensive Plan 2003-2023, changes the allowed zones under the MU

comprehensive plan designation to MX only and removes the other zones. (Exhibit 2A)

Existing MX Zone Standards: The adopted MX zone has had the following features since 1994:

- A rezone approval request to MX was required;
- A requirement of at least 30% residential or commercial development, with a maximum of 70% of either type of use in a development, which may be vertical or horizontal mixed use projects;
- Master planning requirement for non-residential sites over 5 acres with 2 or more building pads totaling 150,000 square feet or more in gross floor area.
- Site design and some building design requirements;
- Reduced and maximum setbacks, parking requirements;
- Exemption from mixing uses on lots of 5,000 square feet or less;
- Pedestrian circulation and connectivity standards; and
- Incentives, mostly in the form of TIF reductions.

Proposed Changes to the MX Zone: For the Comprehensive Plan update, staff is recommending that the MX zoning designation be applied to the areas designated on the Plan map as MU, Mixed Use (Attachment 2)

- Application of the MX zoning district to the zoning map, but not including properties now designated Mixed Use on the Comp. Plan inside current uga's;
- Allowance of residential units on the first floor of mixed use buildings;
- Master planning for developments as a Type III land use review with site plan review. Additional site plan review not required unless subsequent proposed development is not in conformance with the approved master/site plan.
- A number of other significant changes to the existing MX district were recommended by staff and agreed to by the Planning Commission based on testimony and other input from professional consultants. Most of the changes were made with the goal of making the zone more useful and flexible in a suburban setting.
- Comments continue to arrive after the Planning Commission decision. Two major issues in these comments are significant. First, the size of commercial structures is too large based on one comment and should be reduced from 100,000 to 50,000 sq. ft. The second is whether to encourage detached single family homes in MX by reducing densities and modifying other standards (such as sideyard setbacks). Current and proposed code language permits a minimum of 12 units per gross acre, a density that development interests indicate is too high to allow detached home development.

3. **Proposed changes to OC, BP zones 40.230.030** The Office Campus and Business Park codes are combined into the new Employment Center designation on the Comp. Plan. The new designation provides for a wide range of employment opportunities while minimizing its presence to adjacent districts. County Code has an Office Campus and a Business Park district. The proposed district incorporates the current Office Campus design standards. The “use” lists for both are similar but the height standards permit 72 foot buildings in BP and 35 foot buildings in OC. (Attachment 3) Public comment on these districts has been minimal. One significant change the Planning Commission has made is to change colleges from a conditional to a permitted use. This is significant, given the potential impacts such facilities may have on surrounding development and streets.
4. **Rural Industrial Land Bank 40.560.010** At the January 22, 2003 work session, the Board indicated that staff should reflect upon the Board’s discussion and provide a step-by-step process through which the Board may consider the establishment of rural industrial land designations. Staff Report, Major Industrial Development Pursuant to RCW 36.70A.365 or RCW 36.70A.367 is included in this packet for your review. The code changes reflective of the staff report are included. (Attachment 4) The Planning Commission forwarded the suggested changes as recommended by staff.
5. **Residential Infill 40.260.110 and Road Modifications 40.550.010** The new Infill Ordinance was adopted in October 2002 after extensive work with an appointed task force. As Development Services staff has been working with the ordinance over the past nine months, it has become apparent that there are several clarifications that needed to be made on an emergency basis. (Attachment 4) These include:
- Consistent use of the terms “parcel” and “lot” and the definition of “infill duplex”;
 - Clarification of the notification area for pre-application meetings;
 - Parcel size averaging standards;
 - Allowed dwelling type on Tier I infill lots;
 - Reduced rear setbacks for a garage/carport on lots abutting an alley; and
 - Clarification of minimum parcel sizes and maximum densities
 - Clarification of infill road modifications improvements. (Attachment 6)

In addition, as the county goes forward with the Comprehensive Plan update, new areas added to the UGA’s may not be appropriate for infill development. To address that issue, staff proposed an amendment to the eligibility criteria (1)(a) which only allows parcels and lots within the 1994 adopted UGA boundaries to be eligible for the use of infill standards. Planning Commission has recommended that In-fill be allowed in all expansion areas. The Commission did recommend that the road modification section of the road standards be changed to clarify the extent of where road modifications should be considered.